

SUBDIVISION REGULATIONS OF THE TOWN OF PITTMAN CENTER, TENNESSEE

Prepared by the

PITTMAN CENTER MUNICIPAL PLANNING COMMISSION

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SUBDIVISION REGULATIONS
OF THE
PITTMAN CENTER, TENNESSEE MUNICIPAL PLANNING COMMISSION

ARTICLE I. PURPOSE, AUTHORITY AND JURISDICTION

A. Purpose

Land subdivision is the first step in the process of community development. Once land has been cut up into streets, lots and blocks and publicly recorded, the correction of defects is costly and difficult. Subdivision of land sooner or later becomes a public responsibility, in that roads and streets must be maintained and various public services customary to urban areas must be provided. The welfare of the entire community is thereby affected in many important respects. It is therefore to the interest of the public, the developer and the future owners that subdivisions be conceived, designed and developed in accordance with sound rules and proper minimum standards.

The following subdivision regulations guiding the planning commission are designed to provide for the harmonious development of the planning region; to secure a coordinated layout adequate provisions for light, air, recreation, transportation, water, drainage, sewer and other sanitary facilities.

B. Authority

These subdivision regulations are adopted under authority granted by Sections 13-4-301 through 13-4-309 and 13-3-401 through 13-3-411, Tennessee Code Annotated. The planning commission, has fulfilled the requirements set forth in these statutes as prerequisite to the adoption of such regulations. A certified copy of the Pittman Center, Tennessee Major Street and Road Plan has been filed in the Office of the Registrar of Sevier County, Tennessee

C. Jurisdiction

These regulations shall govern all subdivisions of land within the corporate limits of Pittman Center, Tennessee, as now or hereafter established and within the Pittman Center Planning Region as established by the Local Government Planning Advisory Committee (LGPAC). Within these regulations the term "subdivision" shall mean the division of a tract or parcel of land into two (2) or more lots, sites or other divisions for the purpose, whether immediate or future, of sale or building development, and includes resubdivision and, when appropriate to the context, related to the process of subdividing or to the land or area subdivided, provided, however, that "subdivision" does not include a division of any tract or parcel of land into two (2) or more tracts or parcels when such parts or parcels are five (5) acres or larger in size; and "subdivision" means the division of a tract or parcel of land into two (2) or more lots, sites, or other divisions requiring new street or utility

construction, or any division or future, of sale of building development, and included resubdivision and when appropriate to the context, relates to the process of resubdividing or to the land or area subdivided. The term "road" shall mean relate to and include roads, streets, highways, avenues, boulevards, parkways, lanes or other ways or any part thereof. The term "plat" shall mean plat, plan, plot or replot. The term "planning commission" shall mean municipal or regional planning commission. Any prospective subdivider owning land located within Pittman Center or its planning region shall submit his/her subdivision plan to the Pittman Center Planning Commission. The plat is to be submitted according to the procedures outlined in Article II, when plat shall conform to the minimum requirements set forth in Article III. Improvements shall be installed as required by Article IV of these regulations.

ARTICLE II. PROCEDURE FOR PLAT APPROVAL

The procedure for review and approval of a subdivision plat consists of two separate steps. The initial step is the preparation and submission of a preliminary plat of the proposed subdivision to the planning commission. The second step is the preparation and submission to the planning commission of a final plat together with required certificates. The final plat becomes the instrument to be recorded in the office of the county registrar when duly signed by the secretary of the planning commission.

A. General

1. Any owner of land lying within the area of jurisdiction of the planning commission wishing to divide such land into two or more lots, sites, or divisions, for the purpose, either immediate or future, of sale or building development, or wishing to resubdivide for this purpose, shall submit a plan of such proposed subdivision to the planning commission for approval and shall obtain such approval prior to the filing of his subdivision plat for record. Any such plat of subdivision shall conform to the minimum standards of design for the subdivision of land as set forth in Article III of these regulations and shall be presented in the manner specified in the following section of this Article. No plat of a subdivision of land within these areas of jurisdiction shall be filed by the county registrar without the approval of the planning commission.
2. The subdivider should consult early and informally with the planning commission and its technical staff for advice and assistance before the preparation of the preliminary plat and its formal application for approval. This will enable the subdivider to become thoroughly familiar with these regulations, the Major Street and Road Plan and other official plans or public improvements which might affect the area. Such informal review should prevent unnecessary and costly revisions.
3. A subdivider may omit the submission of a preliminary plat, submitting only a final plat if the following conditions are met:
 - a. All public improvements as set forth in Article IV are already installed. Any construction, installation, or improvements of any public improvements shall require the submission of a preliminary plat as prescribed by Section B of Article II.
4. All subdivision plat and the traverse on which they are based shall meet the requirements established in the "Standards of Practice" adopted by the Tennessee Board of Examiners for Land Surveyors.

B. Preliminary Sketch Plat

1. The preliminary plat shall be received by the city or planning staff at least ten (10) days prior to the planning commission meeting for the purpose of staff review. Official submission is to the planning commission at their duly advertised meeting. The developer shall provide four (4) copies of a preliminary sketch plat of the proposed subdivision. The subdivision plat shall be drawn to the largest scale that will fit on a 24x36 sheet, but in no case shall the scale be less than one (1) inch equals one hundred (100) feet (see Illustration 1). (Amended by Resolution 182, 5/12/2014)
2. The sketch plat which shall meet the minimum standards of design as set forth in Article III and the general requirements for the construction of public improvements as set forth in Article IV shall give the following information insofar as possible.
 - a. The proposed subdivision name and location, the name and address of the owner or owners, and the name of the designer of the plat who shall be a registered land surveyor.
 - b. Date, approximate north point, and graphic scale.
 - c. The location of existing and platted property lines, streets, buildings, water courses, railroads, sewers, bridges, culverts, drain pipes, water mains, and any public utility easements, the present zoning classification, if any, both on the land to be subdivided and on the adjoining land; and the names of adjoining property owners or subdividers.
 - d. A construction plan which shall include: (1) a complete drainage plan showing all improvements including all proposed streets, easements, storm sewers, swales, ditches, reserved areas and lot drainage; (2) a complete erosion control plan developed in accordance with Article III, F; (3) a plan and profile of all streets showing typical cross sections of proposed roadways, swales and ditches as well as both existing and proposed finished grades of paved rights-of-way and special ditches, and details of all structures which are part of the physical improvements in the subdivision. All proposed drainage structures including manholes, catch basins, junction boxes, pipe storm drains, ditches, and other drainage facilities including headwalls shall be shown in the plan and profile. If the development is larger than one (1) acre and any of the above listed infrastructure is to be constructed, the plan shall be stamped by a registered civil engineer. (Amended by Resolution 182, 5/12/2014)
 - e. A location map showing relation of subdivision to well-known highways, railroads, and water courses in all directions to a distance of at least one-half (1/2) mile. Suggested scale: one (1) inch equals two thousand (2,000) feet.

- f. Plans of proposed utility layouts showing feasible connections to the existing or any proposed utility systems. When such connections are not practicable, any proposed individual water supply and/or sewage disposal system must be approved by the Sevier County Health Department.
 - g. The names, locations, widths, and other dimensions of proposed streets, alleys, easements, parks, and other open spaces, reservations, lot lines, building lines and utilities.
 - h. Any proposed major subdivision (5 or more lots) must show location, species and diameter of all trees with a diameter of 12" or greater (caliper measurement 3 ft above ground) on the preliminary plat in the area to be disturbed. Location, species and diameter (if over 12") of trees that are intended to be removed and/or added must be noted.

All attempts must be made to preserve as many specimen trees as possible – defined as overstory trees with a diameter of at least 24"; tree survey must note the specimen trees that are intended to be removed. Planning Commission may require alteration of site plan to preserve specimen trees.
 - i. For property designated as RLD on the city's zoning map, existing and proposed contours at vertical intervals of not more than five (5) feet except when specifically not required by the planning commission. In all other zones as designated on the city's zoning map, existing and proposed contours at vertical intervals of not more than two (2) feet except when specifically not required by the planning commission. Topographic data shall be prepared by a registered engineer or surveyor. If topographic data is not obtained by onsite survey, and a GIS process is used, then a registered engineer must certify the accuracy has been verified onsite. (Amended by Resolution 182, 5/12/2014)
 - j. The acreage of the land to be subdivided.
 - k. Surveyor's seal and certification as to the class of survey and the ratio of precision of the unadjusted survey (up to 1:7,500).
3. Within thirty (30) days after the submission of a preliminary sketch plat to the municipal planning commission, the municipal planning commission will review it and indicate its approval, disapproval, or approval subject to modifications as a basis for the preparation of the final plat. The regional planning commission will have sixty (60) days after the submission of a preliminary sketch plat of subdivisions in the Pittman Center Planning Region to review and indicate its approval, disapproval, or approval subject to modifications as a basis for the preparation of the final plat. If a plat is disapproved, reasons for such disapproval will be stated in writing. If approved subject to modifications, the nature of the required modifications will be indicated.

4. The approval of the preliminary plat by the planning commission will not constitute acceptance of the final plat.
5. Failure of the planning commission to act on the preliminary sketch plat within the specified time frame as noted in B.3 after being presented at a planning commission meeting in accordance with subsections B.1 and B.2 of this Article will be deemed approval of this preliminary plat, provided however, that the applicant may waive this requirement and consent to the extension of such period.

Illustration 1

SUBDIVISION RECORD
PRELIMINARY PLAT

Name of Subdivision _____

Location _____ Civil Dist. _____ Zoning Dist. _____

Owner _____ Address _____ Tel. _____

Agent _____ Address _____ Tel. _____

Surveyor _____ Address _____ Tel. _____

Date Received for preliminary approval: _____

CHECKLIST

- ___ Copies submitted as required prior to meeting.
- ___ Drawn to required scale.
- ___ Name, location, owner, and surveyor.
- ___ Date, north point, and graphic scale.
- ___ Location of all existing physical features on land and nearby properties.
- ___ Names of adjoining property owners and/or subdivisions.
- ___ Plans of proposed utility layouts.
- ___ Names, locations and dimensions of proposed streets, alleys, easements, parks and reservations, lot lines, etc.
- ___ Profiles of all streets at required scales.
- ___ Contours at not more than 5' intervals.
- ___ Acreage of land to be subdivided.
- ___ Conforms to general requirements and minimum standards of design.

Approved _____ to proceed to final plat. Subject to following

Date

modifications: _____

Disapproved: _____ for following reasons: _____

Date

Signed: _____

Secretary of Planning Commission

6. One (1) copy of the sketch plat will be returned to the subdivider with any notations at the time of approval or disapproval and the specific changes, if any, required.
7. The approval of the preliminary sketch plat shall lapse unless a final plat based thereon is submitted within one (1) year from the date of such approval unless an extension of time is applied for and granted by the planning commission.
8. If the subdivision is going to be developed and submitted as final plats in portions of the preliminary plat, the portions must be designated and titled in alphabetical characters.
9. No new subdivisions shall use the name of an existing subdivision except one being developed in stages.

C. Final Plat

1. The final plat shall conform substantially to the preliminary sketch plat as approved, and, if desired by the subdivider, it may constitute only that portion of the approved preliminary sketch plat which he proposed to record and develop at the time, provided, however, that such portions conforms to all requirements of these regulations.
2. The final plat shall be received by the city or planning staff at least ten (10) days prior to the planning commission meeting for the purpose of staff review. Official submission is to the planning commission at their duly advertised meeting. The subdivider shall submit four (4) copies of the drawings (blue line prints), together with street profiles or other plans that may be required (see Illustration 2).
3. The final plat shall be presented to the planning commission at its next meeting by the developer or designated representative for consideration for approval or disapproval.
4. The subdivision plat shall be drawn to the largest scale that will fit on a 24x36 sheet, but in no case shall the scale be less than one (1) inch equals one hundred (100) feet. For larger subdivisions, other paper sizes may be approved. Consult with staff to determine if the proposed page size is acceptable. When more than one (1) sheet is required, an index sheet of the same size shall be filed showing the entire subdivision with the sheets lettered in alphabetical order as a key. (Amended by Resolution 182, 5/12/2014)

Illustration 2

SUBDIVISION RECORD
FINAL PLAT

Name of Subdivision_____

Location_____ Civil Dist._____ Zoning Dist._____

Owner_____ Address_____ Tel._____

Prel. approval granted:_____ Received for FINAL approval_____ Date Date

CHECKLIST

- ____ Submitted within specified time from preliminary approval.
- ____ Copies submitted as required prior to meeting.
- ____ Drawn to a scale of 1" = 100' on sheets not on sheets not larger than 18" x 24".
- ____ Date, true north point, graphic scale, name and location of subdivision.
- ____ Reservations, easement or other nonresidential areas.
- ____ Bearings of property lines and sufficient engineering data to locate all lines including radii, angles and tangent distances.
- ____ Dimensions to nearest 100th of a foot and angles to the nearest minute.
- ____ Lot lines, alleys, building setback lines.
- ____ Lines and names of all streets and roads.
- ____ Location and description of monuments.
- ____ Lots numbered in numerical order.
- ____ Proposed driveways with grade profiles for each lot.
- ____ Proposed building envelope.
- ____ Certificate of Ownership and Dedication.
- ____ Certificate of Accuracy.
- ____ Certificate of Approval of Water and Sewerage Systems.
- ____ Certificate of Approval of Streets and Utilities.
- ____ Proposed deed restrictions if not a zoned area.
- ____ Conforms to General requirements and Minimum Standards of Design.
- ____ Required physical improvements have been made or bond posted in the amount of \$_____.

Approved for Recording_____. Variances granted:_____ Date

Disapproved:_____ for following reasons:_____

Signed:_____ Secretary of Planning Commission

Amended by Resolution 182, 5/12/2014

5. When the final plat has been approved by the planning commission one (1) copy will be returned to the subdivider, with the approval of the planning commission certified thereon, for filing with the county registrar as the official plat of record. Three (3) copies will be retained by the planning commission.
6. The planning commission shall approve or disapprove the final plat of a subdivision located within the Town of Pittman Center thirty (30) days after its submission. The planning commission shall approve or disapprove the final plat of a subdivision located within the Pittman Center Planning Region within sixty (60) days. Failure of the planning commission to act on a final plat within the specified time shall be deemed approval of it. If the plat is disapproved the grounds for disapproval shall be stated upon the records of the planning commission.
7. Approval of the final plat shall not constitute the acceptance by the public of the dedication of any streets or other public way or ground.
8. The final plat shall show:
 - a. The lines of all streets and roads, alley lines, lot lines, building setbacks, lots numbered in numerical order, reservations, easements, and any areas to be dedicated to public use or sites for other than residential use with notes stating their purpose and any limitations.
 - b. Sufficient data to determine readily and reproduce on the ground the location, bearing and length of every street line, lot line, boundary line, block line and building line whether curved or straight, and including north point. This shall include the radius, central angle and tangent distance for the right-of-way of curved streets and curved property lines that are not the boundary of curved streets.
 - c. If any portion of the land being subdivided is subject to flooding, as defined by the most recent Federal Emergency Management Administration Firm Maps for Pittman Center and Sevier County, the limits of such flood area shall be shown on the final plat as recorded.
 - d. All dimensions to the nearest one hundredth (100th) of a foot and angles to the nearest minute.
 - e. Location and description of monuments.
 - f. The names and locations of adjoining subdivisions and streets and the location and ownership of adjoining unsubdivided property.
 - g. Date, title, name and location of subdivision, graphic scale, and north point.

- h. Location sketch map showing site in relation to area.
 - i. All boundary traverses including lot and block traverses.
 - j. Proposed driveways with grade profiles for each lot. (Amended by Resolution 182, 5/12/2014)
 - k. Proposed building envelope. (Amended by Resolution 182, 5/12/2014)
9. The following certificates shall be presented with the final plat.
- a. Certifications showing that applicant is the land owner and dedicates streets, rights-of-way and any sites for public use (see Appendix C).
 - b. Certification by registered land surveyor to accuracy of survey and plat and placement of monuments (see Appendix C).
 - c. Certification by the county health offices when individual sewage disposal or water systems are to be installed (see Appendix C).
 - d. Certification by the city engineer or other designated person that the subdivider has complied with one of the following alternatives.
 - i. Installation of all improvements in accordance with the requirements of the subdivision regulations, and utility policies, or
 - ii. Posting of security bond or cash bond in sufficient amount to assure such completion of all required improvements (see Appendix A).
 - e. Certification of approval to be signed by the secretary of the planning commission.

ARTICLE III. GENERAL REQUIREMENTS AND MINIMUM STANDARDS OF DESIGN

Land which the planning commission has found to be unsuitable for subdivision due to flooding, bad drainage, steep slopes, rock formations and other features likely to be harmful to the safety, health and welfare of the future residents shall not be subdivided unless adequate methods for meeting major problems created by the subdivision are formulated by a certified engineer for the developer and are approved by the planning commission. (See Illustrations 3 and 4).

A. Streets

1. Conformity to the Major Road Plan

The location and width of all streets and road shall conform to the official Major Road Plan.

2. Relation to adjoining street system

The proposed street system shall extend existing streets of projects at the same or greater width, but in no case less than the required minimum width.

3. Access Streets to Proposed Subdivision

Any proposed major subdivision (5 or more lots) that is accessed by a road that is either less than 18' in width or not paved with asphalt or concrete must submit a traffic study with the preliminary plat, detailing the volume of automobile traffic being added by the proposed subdivision at buildout, the adequacy of the existing roads, and improvements that need to be made. The town may then commission an independent review of that traffic study, and require improvements be made before the subdivision plat is approved. Where road pavement is to be increased, an engineered drainage and erosion control plan must be provided, and there must be a minimum of 40' of Right-of-Way. Given the mountainous terrain of Pittman Center, public safety precautions such as guard rails shall be installed where appropriate.

4. Access streets to subdivision boundaries

Sufficient access streets to adjoining properties shall be provided in subdivision to permit harmonious development of the area.

5. Street Widths

The minimum width of right-of-way, measured from lot line to lot line, shall be as shown on the Major Road Plan and shall be not less that as follows:

- a. Collector Streets - fifty (50) feet Collector streets are those which carry traffic from minor streets to the major system of arterial streets and highways and include the principal entrance streets or a residential development and streets for major circulation within such a development.
- b. Minor Residential Streets - fifty (50) feet Minor residential streets are those which are used primarily for access to the abutting residential properties and designed to discourage use by through traffic.
- c. Marginal Access Streets - forty (40) feet Marginal access streets are minor streets which are parallel to and adjacent to arterial streets and highways, and which provide access to abutting properties and protection from through traffic.
- d. Streets Terminating as Dead-end Streets (cul-de-sac) - fifty (50) feet right-of-way on permanent dead-end streets or courts designed so that they cannot be extended in the future (see Article III, 10-a for circle and turn requirements).

In many cases where topography or other physical conditions make a street of the required minimum width impracticable, the planning commission may modify the above requirements to increase the minimums. Through business areas the widths may be increased ten (10) feet on each side to provide parking.

- e. Loop Streets - fifty (50) feet

Loop streets are streets open at both ends and connected to only one residential street.

- f. Alleys - twenty (20) feet

Alleys are minor public ways used primarily for service access to the back or side of properties otherwise abutting on a street.

- g. One Way Loop Streets – twenty-five (25) feet (Added by Resolution 185, 5/12/2014)

6. Additional width on existing streets and roadway location

Subdivisions that adjoin existing streets shall dedicate additional right-of-way to meet the above minimum street width requirements.

- a. The entire right-of-way shall be provided where any part of the subdivision is on both sides of the existing street.
- b. When the subdivision is located on only one side of an existing street, one-half (1/2) of the required right-of-way, measures from the center line of the existing roadway, shall be provided. In no case shall the resulting right-of-way width be less than forty (40) feet.
- c. Roadways shall be located in the center of the right-of-way.

Illustration 3

Illustration 4

7. Restriction of access

Where a subdivision abuts or contains an existing or proposed major street, the planning commission may require marginal access streets, reverse frontage with screen planting contained, in a non-access reservation along the rear property line, or such other treatment as may be necessary for adequate protection of residential properties to afford separation of through and local traffic.

8. Intersections

Street intersections shall be as nearly at right angles as is possible, and no intersection shall be at an angle of less than sixty (60) degrees.

To permit the construction of a curb or swale having a desirable radius, property line radii at all street intersections shall not be less than twenty (20) feet. Where the angle of the street intersection is less than ninety (90) degrees, the planning commission may require a greater radius.

9. Street jogs

Street jogs with center line offsets of less than one hundred twenty-five (125) feet shall not be allowed.

10. Street grades and horizontal curves

- a. The maximum grade on any street shall be fifteen (15) percent. The maximum fifteen (15) percent shall be on the centerline of the roadway on tangents and on the inside roadway edge on curves. The planning commission may approve streets with a grade greater than fifteen (15) percent due to topography or environmental reasons. However, the grade will not exceed twenty (20) percent on any street. The planning commission will consider a variance up to twenty (20) percent only in the most extreme circumstances.
- b. Appropriate curves shall be introduced wherever the centerline deflection exceeds ten (10) degrees.
- c. On curves of less than sixty (60) feet radius or where deflection angles of one hundred thirty (130) degrees or more are used, a "switchback" exists. "Switchbacks" shall conform to Illustration 5 on page 20.
- d. On switchbacks and/or curves where the tangent grade exceeds ten (10) percent, guard rails shall be installed which conform to section 705 of the State of Tennessee Standard Specifications for Road and Bridge Construction (see Illustration 5).

11. Dead-end streets

- a. Cul-de-sacs shall be provided at the closed end with a turnaround having an outside roadway diameter of at least eighty (80) feet and a street right-of-way diameter of at least one hundred (100) feet. "T" and "Y" backaround designs may be used provided their approval by the planning commission (see Illustration 6).
- b. Where, in the opinion of the planning commission, it is desirable to provide for street access to adjoining property, proposed streets shall be extended to the boundary of such property. Such dead-end streets shall be provided with a temporary turnaround.

12. Private streets and reserve strips

There shall be no new private streets platted in any subdivision, except for condominiums and planned unit developments with the approval of the planning commission. There shall be no reserve strips controlling access to streets, except where the control of such strips is definitely placed with the community under conditions approved by the planning commission.

13. Drainage

All streets and roads must be so designed as to provide for the discharge of surface water from the right-of-way. Where it is the opinion of the planning commission that water cannot be adequately discharged by surface drainage, the planning commission may require the installation of a storm sewer system or retention areas.

14. Street name

Proposed streets which are obviously in alignment with others already existing and named, shall bear the names of existing streets. In no case shall the name for proposed streets duplicate existing street names, irrespective of the use of suffix street, avenue, boulevard, driveway, place or court. Newly constructed streets shall have the street names approved by the Sevier County E-911 office prior to Final Plat approval.

Illustration 5

Illustration 6

Illustration 7

15. Alleys

Alleys shall be provided to the rear of all lots used for business purposes, and shall not be provided in residential blocks.

16. Street elevations

No street shall be approved if its surface is below the elevation of the 100-year flood. Fill may be used for streets in the floodway fringe but not in the floodway. Drainage openings shall be so designed as not to restrict the flow of water or increase flood heights.

B. Lots

1. Arrangement

- a. Insofar as practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines. Each lot must front for a minimum of forty (40) feet upon a public street or road which is not less than forty (40) feet in width. Said frontage must be reasonably free from physical limitations and must be useable as access to the property as described in b. below. Within developments that incorporate one way loop streets, the minimum width of the frontage road may be twenty-five (25) feet. (Amended by Resolutions 182 and 185, 5/12/2014)
- b. Where a significant elevation difference exists between the roadway and the right-of-way line, lot frontage shall be increased as necessary to guarantee accessibility to the building site by a driveway which does not exceed fifteen (15) percent grade. Off-street parking requirements provided by the zoning code shall be taken into account (see B.3 following).

2. Minimum size

- a. All lots shall conform to the lot size requirement of their designated district found in the Pittman Center Zoning Ordinance and Zoning Map. Lots created in the Pittman Center Planning Region shall be a minimum of eighty (80,000) thousand square feet in area and at least one-hundred and fifty (150) feet wide at the building setback line. The planning commission may consider lot sizes of forty (40,000) thousand square feet in the planning region where the average slope of the lot (measured from highest elevation to lowest elevation) is fifteen (15) percent or less. The building setback line shall be twenty-five (25) feet from the front property line, twenty (20) feet from the side property lines, and twenty-five (25) feet from the rear property line.

- b. Greater area may be required for private sewage disposal if, in the opinion of officials from appropriate agencies, such as the Tennessee Department of Public Health, the Department of Agriculture, Soil Conservation Office, there are factors of drainage, soils, geology or other conditions that may pose potential health problems.
- c. Size of properties reserved or laid out for commercial or industrial properties shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated. Platting of individual lots should be avoided in favor of an overall design of the land to be used for such purposes.

3. Adequate building sites

Each lot shall contain a building site not subject to flood, and each lot shall contain a building site free from sinkholes and drainways. Each building site shall be outside the limits of any existing easement or building setback line required in the applicable zoning regulations.

C. Public Use and Service Areas

Due consideration shall be given to the allocation of areas suitably located and of adequate size for playgrounds and parks for local or neighborhood use as well as public service area.

1. Public open space

Where a school, neighborhood park or recreation area or public access to water frontage, shown on an official map or in a plan made and adopted by the planning commission, is located in whole or in part in the applicant's subdivision, the Planning Commission may require the dedication or reservation of such open space within the subdivision up to a total of ten (10) percent of the gross area or water frontage of the plat for park, school, or recreation purposes.

2. Easements for utilities

- a. Except when alleys are permitted for this purpose, easements, not less than twelve (12) feet in width, for poles, wire, conduits, storm and sanitary sewers, gas, water and heat mains, or other utility lines, along side and rear lot lines are required. Easements of the same or greater width may be required along the lines of or across lots, where necessary for the extension of existing or planned utilities. Each cul-de-sac shall have provisions for a utility easement therefrom to prevent dead-end water mains.

b. Storm sewers

Where in the opinion of the planning commission the flow of water cannot be accommodated with surface drainage, storm sewers or alternate system may be required. The planning commission shall determine, on the basis of the watershed and the probable runoff, the size of the storm sewers. In ascertaining the size of the storm sewers, the planning commission may call upon its technical staff or any public or private agency to assist in its determinations.

3. Community assets

Where a school, neighborhood park or recreation area or public access to water frontage, shown on an official map or in a plan made and adopted by the planning commission, is located in whole or in part in the applicant's subdivision, the Planning Commission may require the dedication or reservation of such open space within the subdivision up

4. Water supply and sewerage connections

Where a public water supply or public sewerage system is reasonably accessible, the subdivider shall indicate a connection with such water supply or sewerage system and a water and sewerage connection for each lot with such material and to such size and length as shall be approved by the planning commission. Where a public water supply or public sewerage system is not reasonably accessible or not planned for in the future, an alternate method of water supply and sewerage disposal may be indicated and shall be approved in writing by the county health officer.

D. Suitability of the Land

The planning commission shall not approve the subdivision of land, if from adequate investigations conducted by all public agencies concerned, it has been determined that in the best interest of the public the site is not suitable for platting and development purpose of the kind proposed. The planning commission shall not approve what it considers to be scattered or premature subdivision of land which would involve danger or injury to the health, safety, property or economic utilization by reason of lack or adverse effect on water supply, schools, proper drainage, good transportation, or other public services or facilities that would necessitate an excessive expenditure of public funds for the supply or maintenance of such services or elimination of danger.

E. Flood Control Measure

Land subject to flooding and land deemed to be topographically unsuitable shall not be platted for residential occupancy, nor for such other uses as may increase danger to health, life or property or aggravated erosion of flood hazard. Such land within the plat shall be set aside for such uses as shall not be endangered by periodic or occasional inundation or shall not produce unsatisfactory living conditions.

Illustration 8

Illustration 9

F. Erosion Control

When a subdivision is to be developed by making changes to the land contour by grading, filling, excavating, removal or destruction of topsoil, trees or vegetative covering thereon, the developer shall prepare a site plan for erosion and sedimentation control. An erosion control bond shall be established by the developer to stabilize a site if it is to be disturbed and not completed. A grading permit will not be issued until the bond is established by the developer. The amount of the bond must be established by the developer's engineer. Subdivisions that disturb five (5) acres or more of land must also receive from the Tennessee Department of Environment and Conservation a National Pollutant Discharge Elimination System (NPDES) permit.

For all proposed subdivisions, erosion and sedimentation control plans shall be presented to the planning commission and shall meet the following standards:

1. Topography

The development plan should be fitted to the topography and the soils in order to minimize erosion potential.

2. Development coordination

Erosion and sedimentation control measures shall be coordinated with the required steps in construction, and appropriate control measures installed prior to the start of construction.

3. Sequential control measures

Land shall be developed in increment of workable size, on which, adequate controls of erosion and sedimentation can be provided and maintained during the construction period. Operations shall be staged so that the area being developed is not being exposed for a long period of time without stabilization and so that the initial disturbed areas are completely controlled before the next section is opened. The developer shall be required to schedule sequentially phased controls of erosion and sedimentation as coordinated with the development and construction stages, and shall specify in detail precisely which areas will be cleared first, and how long these areas will be exposed to the elements. The maximum exposure period shall not exceed one hundred twenty (120) days.

4. Runoff controls

Provisions shall be made to accommodate the increased runoff caused by changed soil and surface conditions during the ensuing development. Runoff must be intercepted and safely conveyed to storm drains or natural outlets where it will not erode or flood land. The drainage system for the development shall be completed and made operational as quickly as possible during construction and shall be prepared by a landscape architect, or civil engineer.

5. Cover

Wherever feasible, natural vegetation shall be retained and protected. Temporary vegetation and/or mulching shall be used where necessary to protect exposed areas during development.

6. Sediment basins (debris basins, desilting basins, or silt traps)

Sediment basins shall be installed and maintained to collect sediment from runoff waters from land undergoing development. Storm sewer inlets with debris guards and micro silt basins shall be provided to trap sediment and avoid possible damage by blockage.

7. Final vegetation and structures

The permanent vegetation and structures shall be installed as soon as practical in the development.

8. Paved areas

Streets, parking lots, and other areas shall be paved as quickly as practical.

G. Large Tracts or Parcels

When land is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged so as to allow for the opening of future streets and logical further resubdivision.

H. Planned Unit Developments (Amended by Resolution 184, 5/12/2014)

For the purpose of these regulations, a planned unit development shall primarily be a planned mixed use, multifamily, or commercial development professionally designed as a unit on a parcel of land that may have separate ownership of, or acceptable lease arrangements and property in joint ownership. A planned unit development shall have ample open space provisions for the benefit and use of the residents. The open space shall be permanent and established in an

appropriate legal manner. Planned unit developments shall include condominiums, mobile home parks, and similar group building developments formally or informally divided for development.

1. Planned unit developments shall generally comply with the standards established in these regulations, however, the uniqueness of each proposed development may require special consideration of these standards and they may be modified, without destroying the intent, by the planning commission to achieve appropriate design arrangements.
2. The final site plan shall contain the location of proposed structures, roads, drives, parking, utilities, drainage, open space areas and all other requirements established for final approval.
3. When required, a planned unit development plat shall show appropriate subdivision of properties.
4. No freestanding building shall be closer than twenty (20) feet to any other freestanding building and no closer than fifty (50) feet to any exterior property line. If buildings are more than one story, ten (10) feet shall be added to these setbacks per additional story.
5. Each development shall have a pedestrian circulation system plan and the walkways shall be improved a minimum of four (4) feet in width.
6. Any planned unit development shall meet all requirements of the municipal zoning ordinance.
7. All planned unit developments within the corporate limits shall be served by a sanitary sewer. An alternate system may be considered by the planning commission provided it shall be first approved by the Sevier County Health Department and reviewed by the Pittman Center Water and Sewer Department. In the planning region, the planning commission shall receive a favorable report from the health department prior to granting a final approval.
8. A final landscaping plan shall be required. Landscaping shall be designed to lessen noise, improve the visual appearance and create a pleasing environment
9. A final open space plan shall be required. The open space shall be permanent and established through appropriate legal documents which shall be submitted with the plan. The documents shall show the manner or way in which the open space is owned and how it will be maintained. The open space plan shall also show all open space improvements such as swimming pools, tennis courts, golf courses, and

similar open space uses. The minimum amount of open space shall be 50 percent of the entire parcel.

10. Changes and modifications in the final planned unit development plan shall be submitted to the planning commission as a revision request of the approved planned unit development.

I. Mobile Home Subdivision

The planning commission may approve a subdivision with lots designed and established EXCLUSIVELY for mobile homes. These developments shall comply with the following standards in addition to those established herein.

1. The minimum land parcel to be considered for a proposed mobile home subdivision shall be ten (10) acres.
2. The minimum lot size shall be in accordance with the designated zoning classification.
3. The minimum setbacks and yard requirements shall be the same as those established in these regulations.
4. Appropriate certificates shall be affixed to the final plat and appropriate legal documents shall be recorded to assure the planning commission that the proposed development shall be developed and utilized as mobile home lots exclusively.

J. Conservation Design Developments (Added by Resolution 183, 5/12/2014)

Applicability

Conservation design subdivisions shall be required in Scenic Landscape Preservation Zones and permitted in areas designated Scenic Landscape Preservation Overlay Zone.

Approval Procedures

1. *Planning Commission Review.* The planning commission shall review a proposed conservation design subdivisions and shall make a determination that the proposal:
 - a. Conforms to and is consistent with the purpose of these conservation design subdivision regulations.
 - b. Provides sufficient protection for the lands designated as conservation lands.
2. *Specific Limitations and Requirements.* The planning commission may impose specific limitations and requirements, including any not addressed by these regulations, so as to ensure that the proposed development, including, but not limited to locations of the building lots, respects the unique character of the resources to be conserved as

conservation lands, the abutting land uses, and the larger community in which the property is located.

3. *Additional Requirements and Review for the Final Subdivision Plat.* In addition to the final plat requirements listed in Article II, a Final Conservation Ownership and Management Plan, detailing the precise boundaries and exact acreage of all proposed conservation lands and the entities to be responsible for maintaining various elements of the property and describing proposed management objectives and techniques shall be required. Conservation lands shall be shown as open space on the final plat. Primary and secondary conservation areas shall be divided into individual separate parcels.

Lot Yield

1. *Lot Yield.* To determine the maximum density of the conservation design subdivision, divide the land area minus primary conservation areas by the minimum lot area found in the Zoning Ordinance. If sanitary sewer or a communal onsite sewer treatment system is used, density may be doubled.

Lot Requirements

1. *Lot Dimensions.* The lot dimensions shall be sufficient to support the size of the proposed building while meeting applicable setback requirements. Common areas between buildings may be used to meet setbacks.
2. *Lot Frontage.* Each lot shall either have frontage on a street or onto a common open space with a rear alley for access. The street frontage or alley access shall be of sufficient width to allow direct vehicular and pedestrian access from each lot to the street. All alleys in conservation design subdivisions are subject to the requirements of these regulations.

Lot Arrangement

Seven Step Design Process for Conservation Design Subdivisions. All plans for conservation design subdivisions shall include documentation of a seven-step design process in determining the layout of proposed conservation lands, house sites, streets and lot lines as described below.

1. *Delineation of Conservation Lands*
 - a. The percentage and acreage of required conservation lands shall be calculated by the applicant and submitted as part of the plan.
 - b. Lands to be included as conservation lands shall be determined as described in the conservation lands section of this ordinance.
 - c. Conservation Lands shall be delineated outside of individual development lots in a manner clearly indicating their boundaries as well as types of resources included within them.

2. Location of Building Areas. Potential building areas shall be tentatively located using the map delineating conservation lands. Building areas should generally be located no closer than 50 feet from primary conservation areas and external property lines, taking into consideration the potential negative impacts of residential development on such areas as well as the potential positive benefits of such locations to provide attractive views and visual settings for residences. Locating building areas on ridges, hilltops, along peripheral public roads or in other visually prominent areas should be minimized.
3. Alignment of Streets and Trails. After designating the building areas, a street plan shall be designed to provide vehicular access to each building area, complying with the standards in these Subdivision Regulations and bearing a logical relationship to the topography of the property. Impacts of the street plan on proposed conservation lands shall be minimized, particularly with respect to crossing environmentally sensitive areas such as wetlands, streams, and slopes exceeding 15 percent. Street connections shall minimize the number of cul-de-sacs and facilitate access to and from building areas in different parts of the property and adjoining properties.
4. Drawing in the Lot Lines. Upon completion of the preceding three steps, lot lines shall be drawn as required to delineate the boundaries of individual residential lots.
5. Easements for individual septic tanks or onsite sewer system located in secondary conservation areas.
6. Recreation and other shared community assets within the secondary conservation areas shall be located.
7. Landscaping and planted buffer areas shall be shown with the species of plants and planted sized listed.

Conservation Areas

1. *Conservation Areas.* Conservation areas are divided into primary and secondary categories. Primary conservation areas are areas that would not normally be developed. These lands should remain as close to their natural state as possible. Some minimal disturbance to the area may be approved by the planning commission. Primary conservation areas shall be subdivided into a separate parcel from secondary or other conservation areas. Secondary conservation areas are areas that can contain shared amenities and subsurface sewage disposal systems. After subtracting the primary conservation areas from the total acreage, secondary conservation areas shall be at least 50 percent of the remaining parcel. No more than 50 percent of secondary conservation areas may be disturbed. Any disturbance within conservation areas beyond those shown on the initial development plan shall be approved by the planning commission.
2. *Primary Conservation Areas.* The following shall be designated as Primary Conservation Lands, unless the applicant demonstrates that

this provision would be counter to the purposes of a conservation design subdivision:

- a. The 100-year floodplain.
 - b. All perennial and intermittent streams and associated floodways with a 75-foot corridor measured from the outer edge of the floodway.
 - c. Wetlands.
 - d. Known habitat for rare, threatened, or endangered species.
 - e. Archaeological sites, cemeteries and burial grounds.
3. *Secondary Conservation Areas.* Fifty percent of the tract (after subtracting the primary conservation areas) shall be designated as secondary conservation lands. The land types below are listed in the order of importance.
- a. Scenic easements, views, and overlooks.
 - b. Existing healthy, native forests of a least one-acre contiguous area.
 - c. Prime farmland soils and land in agricultural use.
 - d. Designated historic and specimen trees.
 - e. Other significant natural features.
 - f. Existing and planned trails that connect the tract to neighboring areas.
 - g. Contiguous slopes over 20 percent.
 - h. Significant historical and cultural sites.
4. *Additional Lands Set Aside.* Land that is dedicated for conventional storm water management devices, that require a disturbance to the land, shall be set aside for such purposes and not included as Conservation Lands.

Requirements for Design and Improvement

1. *Standards for Conservation Design Subdivisions.* In addition to the requirements contained in the general requirements for all subdivisions, the following standards shall apply to conservation design subdivisions.
2. *Fire Protection.* Fire hydrants shall be required for all conservation design subdivisions. When applicable, fire hydrants should be located along alleys. If the development does not have water service or sufficient water pressure for fire hydrants, a water tank, dry hydrant, or other fire suppression system approved by the local fire chief may be utilized.
3. *Relationship to Major Roads.* A conservation design subdivision fronting or encompassing a street designated A, B, or C in Appendix II found in the zoning ordinance, shall be subject to the following standards:
 - a. Right-of-way shall be platted as required in Article III.
 - b. The required 50-foot setback from the property line at the road right-of-way may be deemed a scenic easement and if so, shall be

- planted with native, noninvasive plants in accordance with the town's Tree City USA Ordinance
- c. Wherever practicable, lots shall not back onto scenic easements.
 - d. Access to the lots may be via a frontage road, shared driveways, rear alley access, or similar means to allow lots to front onto scenic easements.
4. *Street Design in Conservation Design Subdivisions.*
- a. The street network shall form a connected pattern.
 - b. The street pattern shall be designed to respect and follow existing terrain as much as possible to minimize earthmoving and disturbance of the existing topography.
 - c. Streets may take the form of a two-way street, a pair of one-way streets on either side of a landscaped median or a one-way loop street.
 - d. Streets may be designed using the appropriate street types contained in the *Design Standards* found in Article III.
 - e. Street connections shall be provided to existing or proposed through-streets or collectors adjacent to the subdivision, wherever practicable.
 - f. Cul-de-sacs are generally prohibited and shall be permitted only where all other street design alternatives, such as loop streets, are not feasible and one of the following two conditions exists:
 - 1. Where natural features such as wetlands or steep slopes exist or other primary or secondary conservation areas that are not desirable to remove.
 - 2. Where connection to an existing or planned street is blocked by an existing permanent structure, an existing or planned highway, or a protected conservation area.
 - g. The street network shall be designed to:
 - 1. Preserve existing tree lines, hedgerows, and watercourses.
 - 2. Minimize alteration of natural, cultural, or historic features.
 - 3. Promote pedestrian movement.
 - 4. Secure the view to prominent natural vistas.
 - 5. Minimize crossing of conservation areas.
 - 6. Provide guest or overflow parking utilizing pervious materials whenever possible.
 - a. *Requirements for Alleys.* Alleys shall be strongly encouraged where practicable to reduce the need for curb cuts. The following standards shall apply to alleys in conservation design subdivisions:
 - b. Alleys, wherever practicable, shall connect with streets at their ends and dead-end alleys shall be avoided.
 - c. Alleys may contain turns and intersections with other alleys provided that all service vehicles can be accommodated.

- d. Alleys shall serve as a utility corridor and wherever practicable, utilities shall be located to the rear of buildings.
 - e. The right-of-way of the alley shall be a minimum width of 20 feet.
- 6. *Supporting Agricultural Uses.* The design of the conservation design subdivision shall:
 - a. Support continuing or proposed new agricultural uses on the tract and adjacent tracts by configuring lots in a manner that maximizes the usable area remaining for such agricultural uses
 - b. Include appropriate separations (planted strips, fencing, etc.) between agricultural uses and residential structures to allow for the continued agricultural use.
 - c. Minimize impacts to prime farmland soils and large tracts of land in agricultural use
 - d. Avoid interference with normal agricultural practices
- 7. *Connecting Open Spaces and Access to Open Space.* When locating open space the applicant shall:
 - a. Connect proposed open space to any neighboring areas of open space or protected areas whenever possible.
 - b. Develop a pathway system connecting open space areas accessible to neighborhood residents and connecting these areas to neighborhood streets and to planned or developed trails on adjacent tracts.
 - c. Ensure the portion of open space designed to provide plant and animal habitat be kept as intact as possible and trails shall be designed to avoid fragmenting these areas.
 - d. Every effort shall be made to ensure that conservation lands are contiguous and narrow or isolated fragments of conservation lands shall be avoided.
- 8. *Clearly Delineated Conservation Lands.* There shall be a clear delineation through signage or other means between the individual development lots and conservation lands and the maintenance of the delineation shall be included in the conservation lands management plan.

Homeowners Association

- 1. *Homeowners' Association Required.* A homeowners' association shall be established and membership in the association shall be mandatory for all purchasers of homes in the development and their successors.
- 2. *Bylaws.* The homeowners' association bylaws, guaranteeing continuing maintenance of the open space and other common facilities, and the declaration of covenants, conditions, and restrictions of the homeowners association shall be submitted for approval to the planning commission as part of the information required for the development plan.

3. *Required Information.* The homeowners' association bylaws or the declaration of covenants, conditions and restrictions of the homeowners association shall contain the following information:
 - a. The legal description of the common land including any working agricultural uses as appropriate.
 - b. A description of common facilities.
 - c. The restrictions placed upon the use and enjoyment of the lands or facilities.
 - d. Persons or entities entitled to enforce the restrictions.
 - e. A mechanism to assess and enforce the common expenses for the land or facilities including upkeep and maintenance expenses, real estate taxes, and insurance premiums.
 - f. A mechanism for resolving disputes among the owners or association members.
 - g. The conditions and timing of the transfer of ownership and control of land and facilities to the association.
 - h. Any other matter the developer deems appropriate.

Ownership of Conservation Lands

1. *Ownership.* A homeowners' association may hold fee simple title to the conservation land. The developer may maintain ownership of conservation areas and provide for perpetual maintenance of all public features. A third party conservation organization may be deeded the property to ensure the land will never be developed. Any use of the conservation lands shall be in conformance with the conservation lands management plan or approved by the planning commission.
2. *Homeowners' Association.* Any land dedicated for a conventional storm water management device that requires a disturbance to the land shall be owned by the homeowners' association and shall be considered lands held in common but not considered Conservation Lands.

Maintenance of Conservation Lands

1. *Conservation Lands Management Plan.* A conservation lands management plan, approved by the planning commission shall be required that:
 - a. Allocates responsibility and guidelines for the maintenance and operation of the conservation lands, lands held in common and any facilities, including provision for ongoing maintenance and for long-term capital improvements.
 - b. Estimates the cost and staffing requirements needed for maintenance, operation, and insurance and outlines the means by which such funding shall be obtained or provided.
 - c. Provides that any changes to the management plan be approved by the Planning Commission.
 - d. Provides for enforcement of the management plan.

2. *Maintenance of Natural Features.* Natural features shall be maintained in their natural condition. The cost and responsibility of maintaining Conservation Lands and any facilities located thereon shall be borne by the property owner(s) as described above. Any planting materials used shall be limited to native, noninvasive plants. All landscaping shall be in accordance with the town's Tree City USA Ordinance. Any modifications to the natural features shall be designed to ensure that the purpose of the conservation design subdivision continues to be met. Permitted modifications include:
 - a. Reforestation.
 - b. Woodland management.
 - c. Pasture or cropland management.
 - d. Buffer area landscaping.
 - e. Stream bank protection.
 - f. Wetlands management.
 - g. Trails management.
3. *Tax Assessment of Conservation Lands.* Once a legal instrument for permanent protection has been placed upon the Conservation Lands, the tax assessor shall be notified of the reduction in development rights in order to initiate reassessment of the conservation lands to reflect the more limited use.

K. Variances

Variances may be granted under the following conditions:

1. Where the subdivider can show that strict adherence to these regulations would cause unnecessary hardship, or
2. Where the planning commission determines that there are topographical or other conditions peculiar to the site, and a departure from these regulations will not destroy their intent. Any variance thus authorized and the reasons therefore shall be stated in writing in the minutes of the planning commission.

ARTICLE IV. DEVELOPMENT PREREQUISITE TO FINAL APPROVAL

A perfectly prepared and recorded subdivision or plat means little to a prospective lot buyer until he can see actual physical transformation of raw acreage into lots suitable for building purposes and human habitation. Improvements by the subdivider spare the community from a potential tax liability. The following tangible improvements are required before final plat approval in order to assure the physical reality of subdivision which approval and recordation will establish legally.

A. Required Improvements

Every subdivision developer shall be required to grade and improve streets and alleys, and to install needed curbs, monuments, sewers, storm water inlets and water mains in accordance with specifications established by the Pittman Center Municipal Planning Commission. Where specifications adopted by local authorities conflict with standards as set forth in these subdivision regulations, the higher set of standards, as determined by the planning commission, shall govern.

1. Monuments

- a. Concrete monuments four (4) inches in diameter or square, three (3) feet long, with a float top, shall be set at all street corners, at all points where the street lines intersect the exterior boundaries of the subdivision and at angle points and points of curb in each street. The top of the monuments shall have an indented cross to identify properly the location and shall be set flush with the finished grade.
- b. All other corners and points shall be marked with iron pins.

2. Grading

All streets, roads and alleys shall be graded or filled horizontally to the full width of their rights-of-way by the subdivider or developer. Due to special topographical conditions, deviation from the above will be allowed only with special approval of the planning commission.

a. preparation

Before grading is started, necessary parts of the right-of-way area shall be cleared of all trees, stumps, roots, brush and other objectionable materials.

b. cuts

All tree stumps, boulders and other obstructions shall be removed to a depth of two (2) feet below the subgrade. Rock, when encountered, shall be scarified to a depth of twelve (12) inches below subgrade.

c. fill

All suitable material from roadway cuts may be used in the construction of fills, approaches, or at other places as needed. Excess materials including organic materials, soft clays, etc., shall be removed from the development site. The fill shall be spread in layers not to exceed six (6) inches loose and compacted by a sheep's foot roller. Unless another method of preparation of the subgrade shall be constructed as specified in Section 203, Standard Specifications for Highways and Public Works January 1, 1968, and later revisions thereto. The filling of utility trenches and other places not accessible to a roller shall be mechanically tamped, and where water is used to assist compaction the water content shall not exceed the optimum of moisture.

3. Storm drainage

An adequate drainage system, including storm sewers, necessary open ditches, pipes, culverts, intersectional drains, drop inlets, bridges, etc., shall be provided for the proper drainage of all surface water. Cross drains shall be provided to accommodate all natural water flow, and shall be of sufficient length to permit full width roadway and the required slopes. The site openings to be provided shall be determined by Talbot's formula (in Appendix D). The pipe shall be of corrugated metal and in no case shall the pipe be less than eighteen (18) inches. Cross drains shall be built on straight line and grade, and shall be laid on a firm base but not on rock. Pipes shall be laid with spigot end pointing in the direction of the flow and with the smooth uniform invert. They shall be placed as a sufficient depth below the roadbed to avoid dangerous pressure of impact, and in no case shall the top of the pipe be less than one (1) foot below the roadbed.

4. Roadway improvements

a. base

A compacted base course six (6) inches deep and two (2) feet wider than the width of the pavement on each side of the street shall be installed on all streets, including cul-de-sacs, temporary turnarounds and access streets to adjoining properties, according to the method specified in Section 33, Standard Specifications for Roads and Bridge Construction, Tennessee Department of Highways and Public Works - January 1, 1968, and latest revisions thereto. Wetting of the stone before compaction may be done at a point of origin or on the job site at the option of the contractor.

b. curbing

The subdivider shall provide curbing unless an acceptable alternative is approved by the planning commission. The installed curbs shall be of no lower classification than machine formed concrete extruded curb, nine (9) inches wide at the base and seven and one-half (7 1/2) inches high. The curb shall be installed after the prime coat is applied to the base. Back fill shall be towards the curb to insure drainage of surface water into the drainage system.

In lieu of curbs, the planning commission may accept one of two alternatives: (1) swales, either seeded or sodded, may be utilized; (2) streets with an inverted crown may utilize stable ditching provided that the drainage area of the street does not exceed five (5) acres,

One-half (1/2) inch to three-fourth (3/4) inch expansion and contraction joints for the curbs and gutters shall be placed at intervals not exceeding forty (40) feet.

c. prime coat

After a thoroughly compacted base has been established, a prime coat shall be applied as specified in Section 402, Standard Specifications for Road and Bridge Construction, Tennessee Department of Highways and public Works - January 1, 1986, and latest revision thereto.

Illustration 10

Illustration 11

d. wearing surface

The wearing surface shall consist of a surface course constructed with asphalt concrete, prepared with mineral aggregate, laid hot as specified under Section 411, Standard Specifications for Road and Bridge Construction, Tennessee Department of Highways and Public Works - January 1, 1968, and latest revision thereto. It shall be constructed in one layer not less than two (2) inches thick to conform to the lines, grades and cross sections indicated on a plan approved by the inspecting engineer. The developer shall provide a civil engineer whose specialty is in road construction to certify on the plat that the roads constructed meet or exceed the standards required by these subdivision regulations.

5. Minimum street improvement widths (Amended by Resolution 185, 5/12/2014)

Due to the diversity of development in the planning region ranging from sparsely populated agricultural areas to the densely populated urban areas, required street improvement widths will necessarily vary with the character of building development and the amount of traffic encountered. Minimum widths for surface treatment of roads and streets shall be those indicated below.

- a. arterial streets (not paved by developer)
- b. collector streets 26 feet
- c. minor residential streets 20 feet
Most minor streets in residential developments involve parking and/or considerable traffic. Streets constructed with curbs shall have a minimum of twenty-two (22) feet of pavement width between the curbs.
- d. marginal access 20 feet
Maximum length 1,200 feet or 25 dwelling units.
- e. loop streets 20 feet
Maximum length 1,200 feet or 25 dwelling units.
- f. dead-end streets (cul-de-sacs) 18 feet
Maximum of 15 dwelling units.
Greater than 15 dwelling units. 20 feet
- g. minor dead-end streets (cul-de-sacs) 16 feet
Maximum of five dwelling units.

Greater than five dwelling units. 20 feet

h. one way loop streets 12 feet

i. rural streets 20 feet

Without curbs - minimum of one acre lots and 150 feet frontage.
Pavement widths of 18 feet may be accepted on loop and dead-end
(cul-de-sac) rural streets meeting the above standards of maximum
length and dwelling units.

6. Installation of utilities

After grading is completed and approved and before any base is applied, all of the underground works - water mains, gas mains, etc., and all service connections shall be installed completely and approved throughout the length of the road and across the flat section. All driveways for houses to be built by the developer shall be cut and drained. In subdivisions of three or more lots, that require the extension of public roads, all utilities shall be placed underground unless there is a significant physical barrier to accomplishing this provision. (Amended by Resolution 182, 5/12/2014)

7. Water supply system

Water mains properly connected with the community water supply system or with an alternate supply approved by the county health officer shall be constructed in such a manner to adequately serve all lots shown on the subdivision plat for both domestic use and fire protection.

8. Sanitary sewers

Where lots cannot be economically connected with a sewerage system, they must contain adequate area for the installation of approved septic tank and disposal fields and must be approved in writing by the county health officer and comply with the sewer system regulations of the City of Pittman Center.

9. Street name signs

Appropriate street signs also add sales value to land subdivisions and enable strangers, delivery concerns and even potential lot buyers to find their way around. Street names should appear at all intersections. Upon request the planning commission will aid the subdivider with specifications for the construction, placing and setting of such signs.

B. Guarantee in Lieu of Completed Improvements

No final subdivision plat shall be approved by the planning commission or accepted for record by the County Registrar of Deeds until one of the following conditions has been met.

1. All required improvements have been constructed in a satisfactory manner and approved by the city of Pittman Center, Tennessee.
2. The planning commission has accepted a security or performance bond in an amount equal to the estimated cost of installation of the required improvements as established by the City of Pittman Center, whereby improvements may be made and utilities installed without cost to the city in the event of default of the subdivider. The conditions of such security or performance bond shall provide for the installation of the improvements covered by such bond within a period of not to exceed one (1) year; however, that such period may be extended by the planning commission with the consent of the parties thereto if the planning commission finds that the public interest will not be adversely affected by such extension. If the planning commission shall decide at an time during the performance bond that the extent of the building development that has taken place in the subdivision is not sufficient to warrant all the improvements covered by such performance bond, that required improvements have been installed as provided in this Section in sufficient amount to warrant reduction in the face amount of said bond, or that the character and the extent of such development require additional improvements for any or all such improvements, the face value of such performance bond shall thereupon be reduced or increased by an appropriate amount so that the new face amount will cover the cost in full of the amended list of improvements.

Performance bonds which are submitted in lieu of the installation of required improvements shall be in cash or made by a surety company authorized to do business in the State of Tennessee. In the case of a surety company, the performance bond shall be prepared according to the form as shown in Appendix A, said Appendix A is made a part of these subdivision regulations.

ARTICLE V. REGULATIONS FOR THE REVIEW AND APPROVAL OF MINOR SUBDIVISIONS

This article sets forth procedures designed to expedite the review and approval process for minor subdivisions. Due to the nature of minor subdivisions, no development other than the platting process is required. Therefore, Article IV of the Pittman Center Subdivision Regulations does not apply to minor subdivisions.

A. Definition

In order to be considered a minor subdivision the tract or parcel of land to be subdivided shall be located on an existing open public road that has been accepted and is being maintained by the city, county, or state highway departments and shall be situated in a manner that there are no changes in existing streets, no new streets or easements of access, and no excavation, grading or physical development needed and the property must be adequately provided with existing community facilities to the extent that no extensions of water, sewer or gas lines are required.

B. General Requirements

All requirements and design standards including requirements for the preparation of subdivision plats will be the same as set forth in Article I through VI of the Pittman Center Subdivision Regulations.

Minor subdivisions will be considered for official approval at each regularly scheduled meeting of the Pittman Center Planning Commission. In the event that it places an extreme and undue hardship on the developer or selling agent a special review committee may review the subdivision prior to the regular monthly meeting. The special review committee may grant tentative approval and permission to sell pending official approval by the Pittman Center Planning Commission. The following procedures and policies shall govern the review and approval of minor subdivisions:

1. Plats must be received by the city or planning staff at least ten (10) days prior to the meeting at which it is to be considered for submittal to the planning commission. Four copies of the plat are needed by the planning commission for review.
2. Requests for special review and approval due to hardship must be accompanied by a statement explaining the nature of the hardship and reasons why special review is necessary.
3. Preliminary approval may be granted prior to health department approval (includes layout design of the subdivision and development requirements).
4. Permission to sell cannot be granted unless the plat has received health department approval.

5. Subdivisions must be properly marked at all corners and survey points with iron pipe or solid steel rods not less than one-half ($1/2$) inches in diameter and twenty-four (24) inches in length.
6. If permission to sell is granted, the sale is made subject to any changes or additional requirements requested by the planning commission for final approval and buyers of the property shall be properly informed of this condition by the person or persons selling the property.

ARTICLE VI. ENFORCEMENT AND PENALTIES FOR VIOLATIONS

The enforcement of these regulations and penalties for the unapproved recordation or transfer of land is provided by state law in the authority granted by public acts of the State of Tennessee.

A. Enforcement

1. No plat or plan of a subdivision of land into two (2) or more lots located within the Pittman Center Municipal or Planning Region shall be admitted to the land records of the county or received or recorded by the County Registrar of Deeds until said plat or plan has received final approval in writing by the planning commission as provided in Section 13-4-302, Tennessee Code Annotated.
2. No board, public officer, or authority shall light any road, lay or authorize the laying of water mains or sewers, or the construction of other facilities or utilities in any road located within the municipality unless such road shall have been accepted, opened or otherwise received the legal status of a public road to the adoption of these regulations, or unless such road corresponds in its location and lines to a road shown on a subdivision plat approved by the planning commission, or on a road plan made and adopted by the commission as provided in Section 13-4-307, Tennessee Code Annotated.

B. Penalties

1. No county registrar shall receive, file, or record a plat of a subdivision within the planning region without the approval of the planning commission as required in Sections 13-4-301 through 13-4-309, Tennessee Code Annotated, and any county registrar so doing shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by law.
2. Section 13-4-306, Tennessee Code Annotated, provides that "Whoever being the owner or agent of the owner of any land, transfers or sells or agrees to sell or negotiates to sell such land by reference to or exhibition of or by other use of a plat of subdivision of such land without having submitted a plat of such subdivision to the planning commission and obtained its approval as required by this Act and before such plat be recorded in the office of the county registrar, shall be deemed guilty of a misdemeanor, punishable as other misdemeanors as provided by the law; and the description by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the transaction from such penalties.
3. Any building or structure erected or to be erected in violation of the subdivision regulations shall be deemed an unlawful building or structure,

and the building commissioner or the solicitor of the municipality or other official designated by the chief legislative body and/or county attorney or other official designated by the quarterly county court may bring action to enjoin such erection or cause it to be vacated or removed as provided in Section 13-4-308, Tennessee Code Annotated.

ARTICLE VII. ADOPTION AND EFFECTIVE DATE

- A. Before adoption of these subdivision regulations or any amendment thereof, a public hearing thereon shall be held by the planning commission; thirty (30) days' notice of the time and place of which shall be given by one (1) publication in a newspaper of general circulation in each county lying wholly or partly in the planning region.

- B. These rules and regulations shall be in full force and effect from and after their adoption and effective date.

Adopted _____

Effective _____

Signed _____

Secretary
Pittman Center Planning Commission

APPENDICES

APPENDIX A

PERFORMANCE BOND FORM

KNOW ALL MEN by these presents:

WHEREAS _____ Principal herein is the owner and developer of the _____ County, Tennessee, and _____, a surety company authorized to do business in the State of Tennessee (hereafter called the "surety"), and

WHEREAS, the plans and specifications of aid subdivision showing the location, construction and installation of streets, roads, curbs and utilities and other improvements therein have been filed with the Pittman Center Municipal Planning Commission for final approval, and which are referred to and made a part of this instrument, as if fully copies and set forth therein, and

WHEREAS, the Principal herein does hereby obligate itself and does agree to complete the construction and installation of all streets, roads, sidewalks, curbs, and utilities, and all other improvements in the said subdivision in accordance with the said plans and specifications now on file, pending final approval by the said planning commission.

NOW, THEREFORE, the _____, as Principal and _____, as Surety, do hereby firmly bind the Pittman Center Municipal/Regional Planning Commission for and on behalf of Pittman Center, Tennessee, in the sum of \$_____ conditioned upon the performance by the Principal of its undertaking herein, and its completion of said _____ Subdivision in the construction of all the streets, sidewalks, roads, curbs, and all other improvements therein called for by the plans thereon and same to be completed on or before the _____ day of _____, 19____, and upon the completion thereof this obligation to be null and void, otherwise to remain in full force and effect.

If the Principal fails to complete the construction, and the improvements of said subdivision as shown and provided for by said plans and specifications herein referred to within the time herein specified, the Commission may in its discretion extend the time for the completion of said work by order duly made and entered by the said Commission for a period of from thirty (30) days to ninety (90) days.

WITNESS our hands this the _____ day of _____, 19____.

WITNESS:

Principal

Surety

APPENDIX B
AGREEMENT

This Agreement entered into at _____ Tennessee, on this the _____ day of _____, 19____, by and between _____, hereinafter referred to as Bank, and _____ Planning Commission, hereinafter referred to as Commission.

RECITALS

1. Whereas, Developer desires to develop and subdivision known as _____ to be located within the jurisdiction of Commission;
2. Whereas, Bank desires to finance the development of said subdivision, and to provide credit which shall secure the completion of improvements to said subdivision required by Commission;
3. Whereas, Commission desires security for the completion of improvements to said subdivision in accordance with specification and time schedule authorized by Commission.

WITNESSETH:

1. Developer agrees that the itemized list of specifications for improvements to said _____ attached hereto and marked Exhibit "A" are those specified by the Commission and that the timetable for completion thereof attached hereto and marked Exhibit "B" have been established by the Commission, and hereby reaffirms its agreement to complete said improvements in accordance with the specifications of the Commission and within the time schedule established by the Commission.
2. The parties hereto agree to the amount of _____ as appropriate to establish as security for the completion of said improvements.
3. Bank hereby agrees that it has and is hereby reaffirming an irrevocable line of credit to Developer to secure the completion of the hereinabove described

improvements in accordance with specifications and the time schedule established by the Commission, and does hereby agree to honor the assignment stated hereinbelow from the Developer to the Commission of any and all funds necessary to complete said improvements in accordance with Commission specifications and time schedule, up to the amount of _____. Bank agrees and warrants to Commission that said line of credit will be sufficient to complete said improvements by Commission up to the maximum amount stated.

4. By affixing their authorized signatures to this agreement, Bank and Developer do hereby agree that the line of credit extended by Bank to Developer for the amount described herein above is irrevocable by either Bank or Developer until a written release is received by Bank and Developer.

5. Developer does hereby make to Commission an irrevocable assignment of the proceeds of a line of credit from Bank to Developer described hereinabove for the completion of said improvements to the extent necessary to complete said improvements in accordance with the specifications of the Commission and in accordance with the time schedule established by Commission.

6. Developer agrees that it shall make no attempt to revoke said assignment at any time prior to the receipt of a written release from Commission.

7. It is agreed between the parties that the hereinabove described assignment is made by Developer by affixing his signature hereto, but that said assignment shall be exercised by Commission only in the event the hereinabove described improvements are not completed in accordance with Commission specifications and/or in compliance with the time schedule established by the Commission.

8. Bank hereby agrees that it will honor said assignment and provide to Commission any and all funds necessary to complete said improvements in accordance with Commission specification and time schedule up to the maximum amount of _____ upon written notification from Commission of the failure of developer to comply with said specifications and/or said time schedule.

9. As between Bank and Commission, it is agreed that said notification is conclusive of noncompliance, and Bank shall take no action to delay or deny its agreement to honor said assignment from Developer to Commission.

10. Bank agrees that any and all funds paid to Commission in accordance with the assignment made between Developer and Commission herein shall be debited against the credit of Developer, and Bank will in no event attempt to hold the Pittman Center Municipal/Regional Planning Commission liable under any legal or equitable principal for the repayment of said funds.

11. Commission agrees that it shall give Developer five (5) days written notice of its intent to exercise its assignment described hereinabove, and the specific reasons therefore. If Developer makes no written reply to commission within said five (5) days, developer hereby agrees it shall take no action, legal or otherwise, to interfere with said assignment, and by its failure to respond within said five (5) days, shall be deemed to acknowledge noncompliance with the specifications of Commission and/or the time schedule as specified in the notice received by Developer, and to the amount of the assignment.

12. This Agreement shall be binding upon and inure to the benefit of the parties hereto, their heirs, administrators, and assigns, and shall not be modified or terminated without the written agreement of all parties hereto.

DEVELOPER

BY: _____
President
Planning Commission

BY: _____

APPENDIX C

FORMS FOR FINAL PLAT CERTIFICATIONS

CERTIFICATE OF OWNERSHIP AND DEDICATION

I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan of subdivision with my (our) free consent, establish the minimum building restriction lines, and dedicate all streets, alleys, walks, parks, and other open space to public or private use as noted.

_____, 19____
Date

Owner

Owner

CERTIFICATE OF ACCURACY

I hereby certify that the plan shown and described hereon is a true and correct survey to the accuracy required by the Pittman Center Municipal/Regional Planning Commission and that the monuments have been placed as shown hereon, to the specifications of the Subdivision Regulations.

_____, 19____
Date

Registered Engineer or Surveyor

CERTIFICATE OF THE APPROVAL OF WATER AND SEWERAGE SYSTEMS

I hereby certify that the private water supply and/or sewage disposal utility system or systems installed, or proposed for installation, fully meet the requirements of the Tennessee State Health Department, and are hereby approved as shown.

_____, 19____
Date

City Engineer

CERTIFICATE OF THE APPROVAL OF STREETS AND UTILITIES

I hereby certify that: (1) that the streets, utilities and _____ have been installed in an acceptable manner and according to specifications, or (2) that a surety bond in the amount of \$_____ has been posted with the Planning Commission to assure completion of all required improvements in case of default.

_____, 19____
Date

City Engineer

CERTIFICATE OF APPROVAL FOR RECORDING

I hereby certify that the subdivision plat shown here has been found to comply with the Subdivision Regulations for Pittman Center, Tennessee, with the exception of such variances, if any, as are noted in the minutes of the Planning Commission and that it has been approved for recording in the Office of the County Registrar.

_____, 19____
Date

Secretary, Planning Commission